



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hettish

Group Art Unit: 2642

Serial No.: 09/864,057

Examiner: Al-Aubaidi, R.

Filed: May 23, 2001

Atty Dkt No.: 2001P09461US

For: Methods and Apparatus For Performing

Date: March 10, 2004

Diagnostics and Gathering Statistics ...

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAR 17 2004

Technology Center 2600

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321

Sir:

Identity of Assignee

The petitioner, **Siemens Information and Communication Networks, Inc.**, a Delaware Corporation having a business address at 900 Broken Sound Parkway, Boca Raton, FL 33487, is the owner of the entire interest in the above-identified application by virtue of an assignment from the inventor dated March 4, 2001.

Identification of Person(s) Making This Disclaimer

The undersigned disclaimant is Intellectual Property Counsel of assignee Siemens Information and Communication Networks, Inc. and is authorized to sign on behalf of the assignee as identified above.

Extent of Interest

The extent of assignee's interest is in the whole of this invention.

Declaration Under 37 C.F.R. §3.73(b)

I, the undersigned, have reviewed all the documents in the chain of title of the patent application identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

03/16/2004 WASFAW1 00000035 192179 09864057

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Disclaimer

The petitioner, through the undersigned, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, of any patent granted from United States Patent Application No. **09/863,912**, filed May 23, 2001; United States Patent Application No. **09/864,009**, filed May 23, 2001; and United States Patent Application No. **09/864,096**, filed May 23, 2001. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and patents issuing from the other three applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of the other three applications, as presently shortened by any terminal disclaimer, in the event that any later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Fee Status

- ☐ (37 C.F.R. §1.20(d) and 37 C.F.R. §1.321)
☒ other than a small entity--fee \$110.00

Fee Payment

- ☒ Charge Account 19-2179 the sum of \$ 110.00.
A duplicate copy of this disclaimer is attached.
☐ Attached is a check in the sum of \$ _____.
☒ Charge Account 19-2179 for any fee deficiency required by this paper.

Respectfully submitted,
Siemens Corporation

Date: March 10, 2004

Francis Montgomery
Francis G. Montgomery
Registration No.: 41,202

Intellectual Property Counsel
Title

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